

Applicant Initiated Interview Request Form

Application No.: 10/552,257 First Named Applicant: Masahiro Yamamoto
Examiner: Snyder, Zachary J. Art Unit: 2889 Status of Application: Final OA

Tentative Participants:

(1) SPE Toan Ton (2) Examiner Zachary Snyder
(3) Joe Price (4) _____

Proposed Date of Interview: 10/4 through 10/8/10 Proposed Time: Earliest Convenience (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc.)	Claims / Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>Claims</u>	<u>Honda et al.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

See attached Topics of Discussion for Telephone Interview

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant / Applicant's Representative Signature

Joseph W. Price

Typed/Printed Name of Applicant or Representative

25,124

Registration Number, if applicable

Examiner / SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.**
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masahiro Yamamoto et al.

Serial No.: 10/552,257

Filed: October 5, 2005

For: HIGH-PRESSURE DISCHARGE
LAMP, LIGHTING METHOD AND
LIGHTING DEVICE FOR HIGH-
PRESSURE DISCHARGE LAMP,
HIGH-PRESSURE DISCHARGE
LAMP DEVICE, AND LAMP UNIT,
IMAGE DISPLAY DEVICE AND
HEADLIGHT DEVICE

Examiner: Snyder, Zachary J.

Group Art Unit: 2889

Confirmation No.: 1980

September 22, 2010

Costa Mesa, California 92626

TOPICS OF DISCUSSION FOR TELEPHONE INTERVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

IN THE CLAIMS:

1. (Previously Presented) A high-pressure discharge lamp comprising:

a bulb that includes a light emitting part having an electrode pair disposed and a discharge space formed therein, and a first sealing part and a second sealing part provided at different ends of the light emitting part; and

a proximity conductor formed from a lead wire, a section of the lead wire being wound around an outer circumference of at least one of the first sealing part and a section of the light emitting part to form a wound portion, and a remaining section of the lead wire forming a lead portion that extends from the wound portion across the light emitting part in proximity to or contacting with an outer surface of the light emitting part, to a side of the discharge lamp on which the second sealing part is disposed, wherein

the lead portion is electrically connected to the electrode, of the pair, positioned nearer the second sealing part,

the wound portion is wound substantially spirally at least 0.5 turns in a range from a 2nd reference plane to a 3rd reference plane, and a closed loop around one of the light emitting part and the first sealing part does not exist within the range, where the 2nd to 3rd reference planes are parallel to a 1st reference plane lying orthogonal to a bulb longitudinal direction and including an end of the discharge space positioned at a section, having a greatest curvature, of an inner surface of the light emitting part at a base portion of the electrode nearer the first sealing part, the 2nd reference plane being distant 5 mm from the 1st reference plane along the first sealing part and the 3rd reference plane passing through a tip of the electrode nearer the second sealing part, and

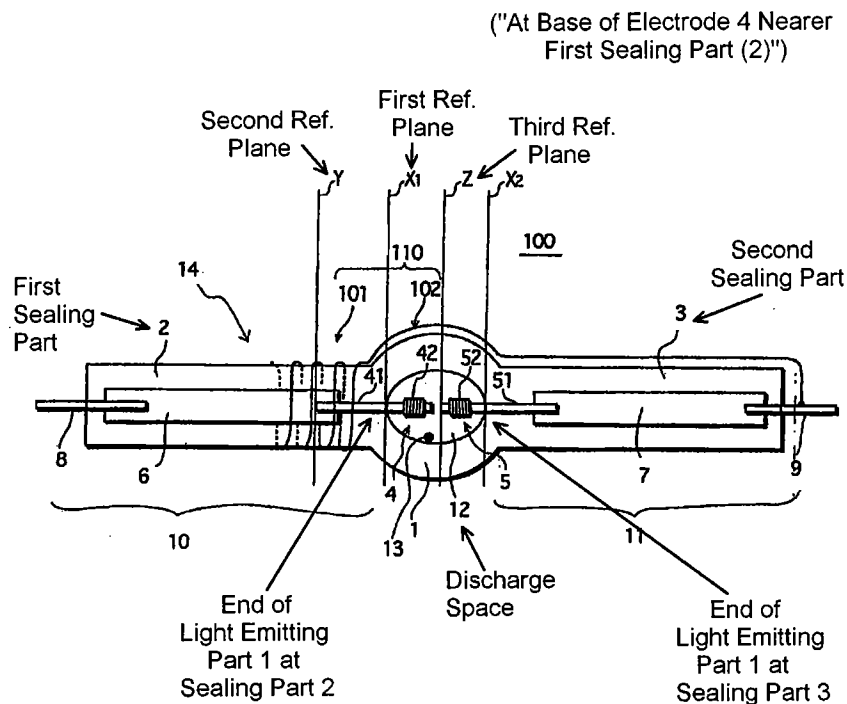
the wound portion and the lead portion are without a closed loop within the range between the 2nd reference plane and the 3rd reference plane.

REMARKS

Claim 1 defines a first reference plane lying orthogonal to the bulb in a longitudinal direction and including an end of the discharge space positioned at a section, having the greatest curvature, of an inner surface of the light emitting part at a base portion of electrode near the first sealing part.

As can be appreciated, our claimed light emitting part 1 is a spheroid envelope which seals our tungsten electrodes 4 and 5 within the closed discharge space 12. The sealing part 2 and the sealing part 1 seal the respective electrodes 4 and 5 to define the discharge space. A first reference plane X_1 and corresponding similar reference plane X_2 are located at the interface of the electrode and discharge space spheroid space as can be seen from the following Figure 1 near the first sealing part and second sealing part.

FIG. 1



Our Claim 1 clearly defines a bulb with a light emitting part 1 and electrodes 4, 5 are disposed within a discharge space 12 formed therein and a first sealing part 2 and a second sealing part 3 defining the respective ends of the light emitting part.

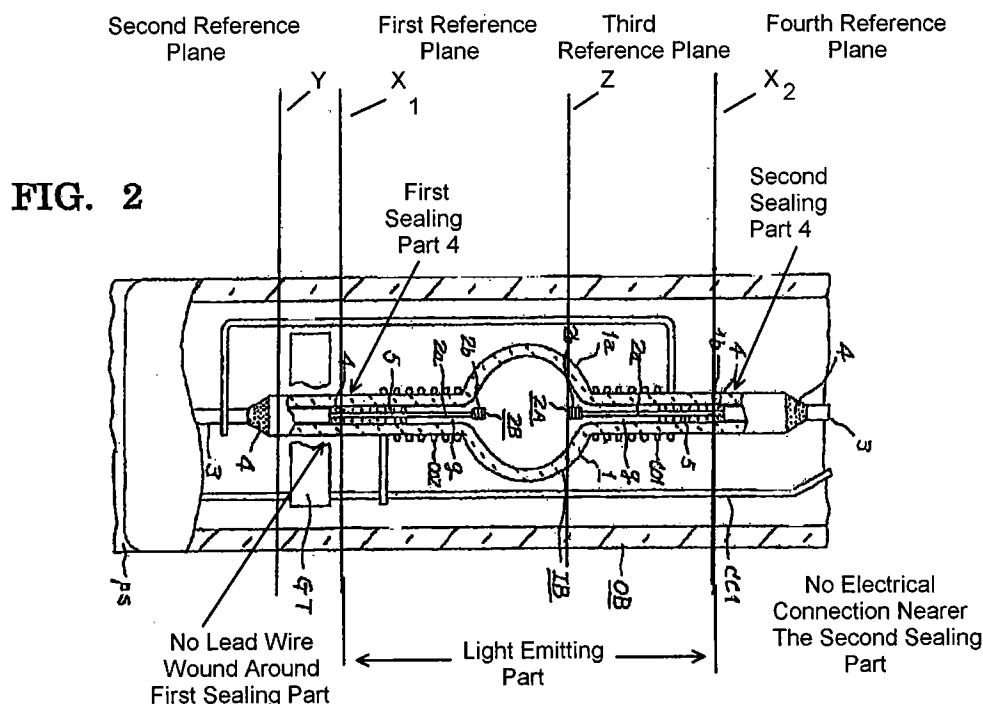
The sealing for defining a light emitting part of the bulb in *Honda et al.* are at the location of the respective sealants 4.

[0160] The light-transmissive ceramic discharge enclosure 1 is provided with an enclosure 1a, and a pair of a small-diameter portions 1b, 1b.

There is a basic misconstruction of what *Honda et al.* would teach to a person of ordinary skill in this art as a light emitting part since it clearly defines its light emitting part as the light-transmissive ceramic discharge enclosure that includes the enclosure 1a and the small-diameter portions 1b.

The first and second sealing parts are the sealants 4 at the ends of the respective 1b small-diameter cylinders.

Since the sealant portions 4, as shown in Figure 2, are at the ends. There is not a proximity conductor formed from a lead wire wound around an outer circumference of at least one of the first sealing part with that same lead wire forming a lead portion to extend from the wound portion across the light emitting part to a side of the discharge lamp in which the second sealing part is disposed. *Honda et al.*'s sealing parts 4 are only at the far end of each cylindrical ceramic tubes 1b in the form of sealants 4, as follows.



Our Claim 1 defines the discharge space positioned at a section having the greatest curvature of an inner surface of a light emitting part at the base portion of the electrode nearer the first sealing part.

Applicant appreciates the Examiner's provision of a drawing on Page 2 but this arbitrarily selects a position G in the midst of the metallic wound coils by disregarding the claim language "nearer the first sealing part".

The case of *Power-One, Inc. v. Artesyn Technologies, Inc.* 599F.3d1343, 1349 (Fed.Cir.2010) is directly on point as to interpreting our claim language "nearer" as follows:

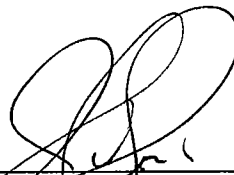
The intrinsic record supports the district court's construction, and despite Artesyn's contention, the terms "adapted to" and "near" are not facially vague or subjective. Claims using relative terms such as "near" or "adapted to" are insolubly ambiguous only if they provide no guidance to those skilled in the art as to the scope of that requirement. See *Datamize*, 417 F.3d at 1347 (the definiteness

of a claim's terms depends on whether those terms can be given a reasonable meaning by a person of ordinary skill in the art); *see, e.g., Young*, 492 F.3d at 1346 ("near" not indefinite); *Central Admixture Pharm. Servs., Inc. v. Advanced Cardiac Solutions*, 482 F.3d 1347, 1356 (Fed.Cir.2006) ("Adapted to" not indefinite); *Verve, LLC v. Crane Cams, Inc.* 311 F.3d 1116, 1120 (Fed.Cir.2002) (same). Here, a person of ordinary skill in the field would understand the meaning of "near" and "adapted to" because the environment dictates the necessary preciseness of the terms.

Applicant would appreciate the courtesy of a telephone interview to further the prosecution of this case.

Very truly yours,

SNELL & WILMER L.L.P.



Joseph W. Price
Registration No. 58,567
600 Anton Boulevard, Suite 1400
Costa Mesa, CA 92626
Tel: 714-427-7420
Fax: 714-427-7799